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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,986	09/29/2003	Peter Kozdon	2003P08066US	2831

7590 04/20/2005

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

PHAN, JOSEPH T

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,986

Applicant(s)

KOZDON ET AL. /

Examiner

Joseph T Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09/29/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-18 rejected under 35 U.S.C. 102(e) as being anticipated by Haims et al., Pub. No. US 2003015820 A1.

Regarding claims 1 and 16-18, Haims teaches a system, method, and article of manufacture comprising:

a context agent, said context agent adapted to determine a device associated with an identity, a computer readable medium having stored thereon instructions, a processor(*Fig.11 and paragraphs 0036, 0066-0067, 0089, and 0100*) and a communication port coupled to said processor and adapted to communicate with at least one device(110b *Fig.11*), and

a storage device coupled to said processor and storing instructions adapted to be executed by said processor(204 *Fig.11*) to:

determine a device associated with an identity, determine a media capability associated with said device, determine availability information for said media capability; and provide

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data indicative of said availability information(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 2, Haims teaches the method of claim 1, further comprising the step of: receiving a request for information regarding media channel availability for said identity(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 3, Haims teaches the method of claim 1, further comprising the step of:

receiving a request for information regarding media channel availability for said device(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 4, Haims teaches the method of claim 1 , wherein said step of providing data indicative of said availability information includes displaying an interface indicative of said availability information(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 5, Haims teaches the method of claim 4, wherein said interface provides information identifying said device(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 6, Haims teaches the method of claim 4, wherein said interface provides information identifying said identity(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 7, Haims teaches the method of claim 4, wherein said interface provides information identifying an identity context associated with said identity(*paragraphs 0036, 0066-0067, 0089, and 0100*).

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Regarding claim 8, Haims teaches the method of claim 1, further comprising the step of: determining a device context for said device(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 9, Haims teaches the method of claim 1, further comprising the step of: determining a rule governing availability of said media channel(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 10, Haims teaches the method of claim 1, further comprising the step of: determining a rule that governs how availability of said media channel is to be determined(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 11, Haims teaches the method of claim 1, further comprising the step of: determining an identity context for said identity(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 12, Haims teaches the method of claim 1, wherein said step of determining said device associated with said identity includes determining multiple devices associated with said identity(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 13, Haims teaches the method of claim 12, wherein said step of determining said media capability associated with said device includes determining at least one media capability for each of said multiple devices(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 14, Haims teaches the method of claim 13, wherein said step of determining availability information for said media capability includes determining availability information for each of said at least one media capability for each of said multiple devices(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Regarding claim 15, Haims teaches the method of claim 14, wherein said step of providing data indicative of said availability information includes providing data indicative of availability information for each of said at least one media capability for each of said multiple devices(*paragraphs 0036, 0066-0067, 0089, and 0100*).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on M-TH 9:00-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTP
April 15, 2005



FAN TSANG
SUPERVISORY PATENT EXAMINER
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